

Commissioner for Patents
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REMARKS

Claims 1-8 were pending in this application as of the Examiner's Office Action to which this Amendment is responsive. Claims 1-6 are rejected. Claims 7 and 8 are allowed.

The below remarks are organized according to the section headings of the Examiner's Detailed Action of Mar. 30, 2005.

1. Specification Objections

Edits to the specification, in accordance with the Examiner's directions, have been accomplished.

The Examiner has also objected to pages 66-91 as being a computer listing that should be submitted on a compact disk. Applicant greatly appreciates the Examiner's willingness to discuss this issue telephonically on Sep. 27, 2005. In accordance with the Examiner's directions, applicant will now present his response to the objection such that it becomes part of the formal record and can be considered by the Examiner.

Applicant respectfully submits it is not appropriate to place the indicated computer listing, which is comprised of pseudo-code, on a compact disk.

The pseudo-code is an integral part of the specification's description of the invention. Applicant refers the Examiner to the following example sections of the specification that discuss the pseudo-code: section 3.2.3, beginning on page 29; section 3.2.4.2, beginning on page 34; and section 3.2.4.3, beginning on page 38. To move the pseudo-code to a compact disk would therefore harm the readability of the application and work counter to the intended goal of 37 CFR 1.96(c).

2. Claim Rejections – 35 USC § 101

Claims 1-6 are rejected as directed to non-statutory subject matter. To cure this, the Examiner has suggested the word "computerized" be added to the preamble of claims 1 and 6. Applicant has changed claims 1 and 6 in accordance with the Examiner's suggestion.

3. Summary

Applicants respectfully submit that all objections and rejections have been traversed and request a Notice of Allowance.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 502584 referencing docket number 06816.0506CON2.

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Respectfully submitted,



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